


<b>BARBADOS CIVIL AVIATION DEPARTMENT</b> Operation of Remotely Piloted Aircraft Systems In Barbados Airspace Edition: 02		
	<b>Regulations</b>	PAGE: 11 OF 23

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### **Section I – General**

#### **1.0 INTRODUCTION**

The Remotely Piloted Aircraft System (RPAS) Policy provides guidance to be used in operating such technology within the territorial confines and airspace of Barbados. The Regulatory Section of the Barbados Civil Aviation Department will use this policy guidance material when evaluating each UAS application submitted to the organization. The policy which also provides additional information on the Special UAS operational approval (SUOA) process proposed by the Barbados Civil Aviation Department can be used in conjunction with an online application system.

The purpose of this document is to set out the safety and security requirements that must be met, in terms of airworthiness and operational standards, before any UAS based on its weight category, can be operated in Barbados. The long term aim of the BCAD is to work in close co-operation with all stakeholders including the Ministry of Defence and Security, Customs, etc to develop a regulatory framework which will enable the full integration of UAS operations within our national airspace.

The Unmanned Aircraft Systems Operations Policy, with input from the BCAD Inspectorate, the various Law Enforcement Agencies of Barbados and other governmental agencies, takes into account the specific needs of the aviation industry, the global advances in technology and the unprecedented growth of UAVS within the Caribbean Region. This document charts a clear direction for a sustainable aviation industry for the future in Barbados.

This document is intended to provide interim guidance material and essential information to UAS operators and user stakeholders by stipulating the Safety & Security considerations and the regulatory principles as appropriate. It should be noted that the material presented in this policy is the BCAD's commitment to approving future commercial UAS operations and each application needs to be reviewed on its own technical merits based on the specific needs of the UAS operations in question.

*NOTE: The UAS Operations Policy will be continuously reviewed and updated accordingly.*

## **2.0. TERMINOLOGY**

**The following are a list of terms and definitions used in the context of UAS operations:**

**Aerial aircraft.** Any aircraft or remotely piloted aircraft system, not being a commercial transport aircraft, which is being flown for payment to the operator of the aircraft or system in respect of the flight or of the purpose for which the flight is made.

**Aircraft.** Any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

**Aircraft — category.** Classification of aircraft according to specified basic characteristics, e.g. aeroplane, helicopter, glider, free balloon.

**Appropriate Authority.** In relation to the State, the Authority and, in relation to any other state, the relevant authority of the state having sovereignty over the territory being overflown, and in the case of a flight over the high seas, the relevant authority of the state in which the aircraft concerned is registered.

**Autonomous aircraft.** An unmanned aircraft that does not allow pilot intervention in the management of the flight.

**Autonomous operation.** An operation during which a remotely-piloted aircraft is operating without pilot intervention in the management of the flight.

**Command and control link.** The data link between the remotely-piloted aircraft and the remote pilot station for the purposes of managing the flight.

**Commercial operation.** An aircraft operation conducted for business purposes (mapping, security surveillance, wildlife survey, aerial application, etc.) other than commercial air transport, for remuneration or hire.

**Congested area.** A densely populated area which is substantially used for residential, commercial or recreational purposes, eg, highways, cities, large assembly of persons.

**Controlled airspace.** An airspace of defined dimensions designated by the Authority within which an air traffic control service is provided to IFR flights and to VFR flights in accordance with the airspace classifications in the Barbados Civil Aviation Department (Rules of the Air) Order.

**Crew member.** A person assigned by an operator to duty on an

aircraft during a flight duty period.

**Detect and avoid.** The capability to see, sense or detect conflicting traffic or other hazards and take the appropriate action to comply with the applicable rules of flight.

**Flying pilot.** A person who operates the flying controls of an aircraft and is responsible for the flight trajectory of the aircraft.

**Model aircraft.** Any small aircraft which is being used for the sole purpose of recreational flying.

**Prescribed.** The **direction** given by the Authority and the expression “prescribe” shall be construed accordingly;

**Recreation.** The act of relaxation and/or amusing oneself by engaging in a sport or pastime;

**Remote crew member.** A licensed crew member charged with duties essential to the operation of a remotely-piloted aircraft, during flight time.

**Remote pilot.** The person who manipulates the flight controls of a remotely-piloted aircraft during flight time.

**Remote pilot station.** The station at which the remote pilot manages the flight of an unmanned aircraft.

**Remotely-piloted.** Control of an aircraft from a pilot station which is not on board the aircraft.

**Remotely-piloted aircraft.** An aircraft where the flying pilot is not on board the aircraft. It consist of an aerial vehicle(remotely piloted aircraft) without persons on board, not used for recreation and sports, and the related components necessary for the control and command by a remote pilot.

**Note.— This is a subcategory of unmanned aircraft.**

**Remotely-piloted aircraft system.** A set of configurable elements consisting of a remotely-piloted aircraft, its associated remote pilot station(s), the required command and control links and any other system elements as maybe required, at any point during flight operation.

**RPAS observer.** A remote crew member who, by visual observation of the remotely-piloted aircraft, assists the remote pilot in the safe conduct of the flight.

**Segregated airspace.** Airspace of specified dimensions allocated for exclusive use to a specific user(s).

**Unmanned aircraft.** An aircraft which is intended to operate with no pilot on board.

**Unmanned aircraft system.** An aircraft and its associated elements which are operated with no pilot on board.

**Visual line-of-sight operation.** An operation in which the

remote crew maintains direct visual contact with the aircraft to manage its flight and meet separation and collision avoidance responsibilities.

### 3.0 LIST OF ABBREVIATIONS / ACRONYMS

<b>BCAD</b>	-	<b>Barbados</b>	<b>Civil</b>	<b>Aviation</b>
<b>Department</b>				
<b>ICAO</b>	-	<b>International</b>	<b>Civil</b>	<b>Aviation</b>
<b>Organization</b>				
<b>RPAS</b>	-	<b>Remotely Piloted Aircraft System</b>		
<b>UAS</b>	-	<b>Unmanned Aircraft Systems</b>		
<b>UAV</b>	-	<b>Unmanned Aerial Vehicle</b>		
<b>VLOS</b>	-	<b>Visual Line Of Sight</b>		

### 4.0 REFERENCES

- ICAO Cir 328 - Unmanned Aircraft Systems (UAS).
- Barbados UAS Policy - Unmanned Aircraft Systems Operations in Barbados Airspace.
- Barbados Civil Aviation (Aircraft Operations Regulations 2007).
- Barbados Telecommunications Unit (Aircraft Operations Regulations 2007). (Telecommunication Act 2001-36).

### 5.0 APPLICABILITY

Unmanned Aerial Vehicles (UAVs) are defined as a powered aerial vehicle that does not carry a human operator. This vehicle also uses aerodynamic forces to provide lift and can fly autonomously or be piloted remotely. Aerial Vehicles have acquired many names including ‘unmanned or unpiloted aerial vehicle, pilotless aircraft, and drones’. These names are used interchangeably to distinguish the different types of UAVs based on size, shape, weight, speed and other characteristics.

Model aircraft is described as an aircraft, the total weight of which does not exceed 35 kg (77.2 pounds) that is mechanically driven or launched into flight for recreational purposes. The sophistication of these systems specifically relates to their purpose and use. Hence, by definition, a UAV is no longer a model aircraft when:

-  Owned by a company not an individual.
-  Used for profit, surveillance & aerial work etc.

Unmanned Aircraft Vehicles (UAVs) come in a variety of

shapes and sizes and serve diverse purposes. With regard to the weight category of the Unmanned Aircraft it is the aircraft's mass which is the deciding factor. The model aircraft is considered to be light in the range of 7kg-20kg, and heavy above 20kg.

The light unmanned aircraft is flown within the line of sight of the human operator at a maximum range of 200 meters, less than 400 feet above the ground, and during daylight conditions, among other provisions. The model aircraft is also prohibited to operate in controlled airspace.

The RPAS is a sophisticated technology which comprises of many components including the aircraft, the ground control network, the communications system, and the human operator. Therefore it is incumbent on the regulators when considering requests for UAV operations approval, to assess and analyse the RPAS system as a whole.

*Please note that fully autonomous aircraft operations are not being considered in this policy. The development of such technology and procedures for autonomous operations will only be addressed as and when required.*

## **Section II – REGULATORY FRAMEWORK**

### **6.0 BACKGROUND**

Domestically, light UAVs have mainly been operated by model aircraft clubs for recreational purposes. However, quite recently there is a significant growth of model aircraft club operators in Barbados that have expressed an interest in performing aerial work such as photography and data-gathering at several entertainment and sporting events. These recreational

craft are likely to be operated in a way that may pose a greater risk and threat to civil aircraft operations and the general public. In response to this increasing activity, it has become necessary to develop guidance material for the Barbados Civil Aviation Department to consult when evaluating applications for UAS commercial activity.

This document represents the Final Report of the operation of Remotely Piloted Aircraft System (RPAS)) in Barbados, established to develop and implement a regulatory framework for the operation of unmanned air vehicles with respect to safety and security considerations, the collection and use of photographic data, the Barbados Postal Services and Barbados Custom and Excise Departmental concerns and the required legislation.

The formulation of the Remotely Piloted Aircraft System (RPAS) policy is a joint governmental and industry initiative, convened by the Barbados Civil Aviation Department, to address the anticipated volume and complexity of applications for unmanned aerial vehicle operations. The safe integration of UAS into the national airspace will be a long-term activity with many stakeholders adding their expertise on such diverse topics as licensing and medical qualification of UAS crew, technologies for detect and avoid systems, frequency spectrum (including its protection from unintentional or unlawful interference), separation standards from other aircraft, security and legal considerations and development of a robust regulatory framework.

## 7.0 ICAO REGULATORY FRAMEWORK

The proposed regulatory framework is being developed within the ICAO concept and scope for RPAS in the foreseeable future. Article 8 of the Convention on International Civil Aviation, stipulates that:

***‘No aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a contracting State without special authorization by that State and in accordance with the terms of such authorization.’***

Article 8 of the Convention also requires that:

***‘Each contracting State undertake to ensure that the flight of such aircraft without a pilot in regions open to***

*civil aircraft shall be so controlled as to obviate danger to civil aircraft.'*

As a signatory to the Chicago Convention and a member of ICAO, Barbados will endeavour to comply with the provisions of the Convention and Standards stipulated in various Annexes to the Convention.

## **7.1 PROPOSED REGULATORY FRAMEWORK FOR Remotely Piloted Aircraft System (RPAS) IN BARBADOS**

**The mandate of the BCAD is to:**

- *Regulate, Manage and Control civil aviation safety and security;*
- *Provide Oversight on the development and function of the civil aviation industry;*
- *Develop any Regulations that are required in terms of the Barbados Civil Act; and*
- *Monitor and ensure Compliance with the Barbados Civil Act and the ICAO Chicago Convention.*

In Barbados, the only specific legislation governing unmanned aeronautical activity is found in the Barbados Civil Aviation Act & Regulations 2007 and is currently under review. It sets out the requirement for an operator as follows:

***Unmanned Aeronautical Operation shall be operated in such a manner as to minimize hazards to persons, property or other aircraft in accordance with conditions specified by the Director of Civil Aviation.***

The Barbados Civil Aviation Department is ultimately responsible for the conduct of civil aeronautical activity and hence all RPAS operations in Barbados must meet “equivalent” levels of safety as manned aircraft. The necessary requirements for UAS commercial operations must be developed under the *Barbadian Civil Aviation Regulations* (CARs). With the Regulatory process in place, all risk to the general public and their property as well as airspace users will be greatly reduced.

The Barbados Civil Aviation Department (BCAD) has been working with the Ministry of Defence & Security and other law enforcement agencies to develop an approval process through a memorandum of understanding (MOU) to essentially meet the legal/operational requirements for performing aerial work with remotely piloted aircraft systems. Although BCAD view RPAS



















as an aircraft which are subject to air rules and regulations, the logistics of establishing the certification/application process for RPAS has not been finalized.

With regard to the permissions/approvals that are required, the type of operation whether recreational or commercial is the determinant factor. It should also be noted that light unmanned aircraft are not governed by the regulations that are generally applicable to manned aircraft unless the operator wishes to conduct aerial work or other business-related activity. Moreover, a RPAS which weighs more than 20kg is subject to the civil aviation regulations of Barbados as though they are manned aircraft.

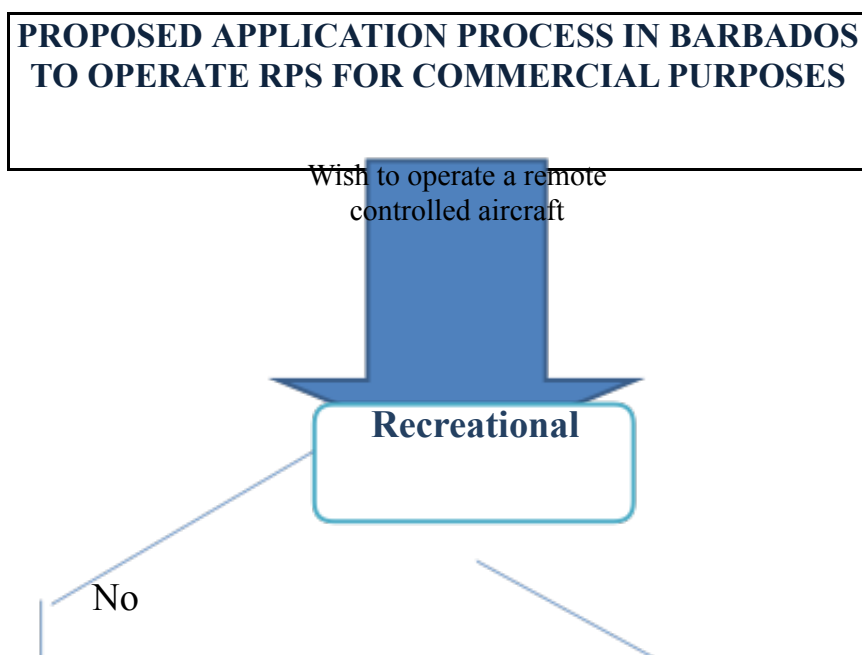
In summary, RPAS will be required to comply with all applicable national legislation **and** meet at least the same safety and operational standards as manned aircraft. Additionally, where such a Remotely Piloted Aircraft System (RPAS) is to be used for commercial purposes such as photography, survey, surveillance, etc, the operator must apply to the Barbados Civil Aviation Department (BCAD) for an Aerial Work Permit to cover such activity. The underlying policy is that a RPAS may not be flown in Barbados without the operator obtaining specific Permission from the Barbados Civil Aviation Department.

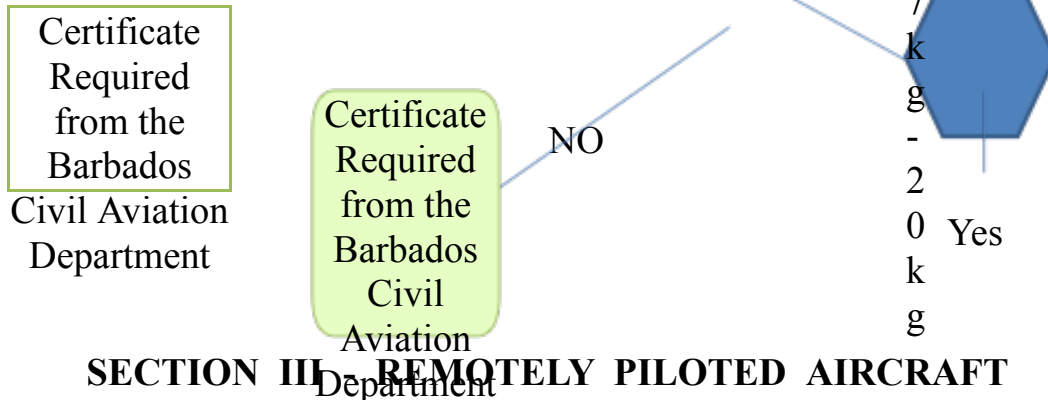
## Figure 1. PROPOSED REGULATIONS

Privacy Concerns	<ul style="list-style-type: none"> <li> Data Collection.</li> <li> Distribution of Data Obtained by UAVs.</li> <li> <i>No person shall operate an unmanned air vehicle in flight except in accordance with the Barbados Civil Aviation Regulations.</i></li> </ul>
Safety Considerations	<ul style="list-style-type: none"> <li> Requirement for UAV operator's permit/certificate.</li> <li> Dropping or discharging of things.</li> </ul>
Legal Considerations	<ul style="list-style-type: none"> <li> <i>The RPAS operator must take the necessary precautions and measures to ensure the protection of data collected and to safeguard people from harm and Criminal Acts.</i></li> <li> <i>All Incidents are to be reported to the Flight Safety Operations Department of the BCAD.</i></li> </ul>
Airspace Operating Regulations	<ul style="list-style-type: none"> <li> Operation in prohibited or restricted area.</li> <li> Maximum operating height.</li> <li> UAVs not to be operated over populous areas.</li> </ul>
Accident/Incident Procedures	<ul style="list-style-type: none"> <li> Weather and day limitations.</li> <li> Adequate liability insurance covering risks of public liability.</li> </ul>
Security Issues	<ul style="list-style-type: none"> <li> <i>No UAV operator shall operate a model aircraft in a reckless or neglectful manner that will cause or permit an aircraft to endanger any person or property.</i></li> <li> <i>The RPAS operator must take appropriate measures to prevent deliberate and unlawful interference to persons or property and from all RPAS operations.</i></li> </ul>
Aerial Application	<ul style="list-style-type: none"> <li> Use of radiotelephone.</li> </ul>
Weight Category	<ul style="list-style-type: none"> <li> <i>No person shall operate a large UAV without the issuance of a Special Air Operation Certificate (SAOC) by BCAD.</i></li> </ul>

*Please note that RPAS under 7kgs are exempted from the (BCAD) Certification process and are not required to have a radiotelephone. Also note that such UAVS shall not be equipped with a camera or technology with surveillance capabilities.*

Figure 2.





## SECTION III - REMOTELY PILOTED AIRCRAFT SYSTEM – BETWEEN 7KG & 20KG

### 8.0 CLASSIFICATION OF RPAS

The RPAS in Barbados are classified in accordance with the maximum take-off mass of the UAV:

- maximum take-off mass between 7kg & 20kg;
- maximum take-off mass equal to or more than 20kg;

### 8.1 Operating Procedures – for All Remotely Piloted Aircraft System (RPAS)

- ✓ All UAV operators shall not operate a model aircraft in a reckless or neglectful manner that will cause or permit an aircraft to endanger any person or property on the ground and other airspace users.
- ✓ The operator must maintain an appropriate distance from obstacles, avoid collisions in flight and remain clear of power-lines and populous areas.
- ✓ The model aircraft operator shall scan the physical environment for potential obstacles.
- ✓ The model aircraft operator shall operate at the maximum lateral and vertical distance specified in the Policy.
- ✓ A model aircraft operator is responsible for obtaining any permission concerning the electromagnetic spectrum for the frequency used for the radio-control equipment.
- ✓ The operator shall obtain the required Radio Licence from the Barbados Telecommunications Unit.
- ✓ The model aircraft operator must comply with any provisions issued by the local authorities.

### 8.2 All Remotely Piloted Aircraft System (RPAS) Operators

### **Shall Adhere To The Following Limits:**

- ✓ The model aircraft operator must maintain visual contact “Visual Line of Sight ”(VLOS) with the model aircraft at all times;
- ✓ Such activities must be carried out in areas that are not populated and properly selected by the model aircraft operator of maximum radius of 200 m and a height of not more than 120 metres (400 feet) above ground level;
- ✓ Such activities must be carried out at a distance of at least 5 km from the airport and the related approach/take-off paths to/from the airport.
- ✓ Model flying displays and the use of model aircraft during the display must be performed in accordance with the provisions issued by the Modellers Aero Club of Barbados and the Regulations specified by the Barbados Civil Aviation Department for such activities;
- ✓ The model aircraft shall not be operated unless there is in place a third party liability insurance policy covering the operation of the system which is acceptable to the Authority;
- ✓ The model aircraft shall not be operated over any assembly of persons on the ground nor closer than 150 metres laterally from such an assembly;

In Summary, the RPAS is flown within the line of sight of the human operator at a maximum range of 200 meters, less than 120 meters (400 feet) above the ground, and during daylight conditions, among other provisions. The model aircraft is also prohibited to operate in controlled airspace, except with the written permission of the Barbados Civil Aviation Department.

### **SECTION IV - REMOTELY PILOTED AIRCRAFT SYSTEMS - MORE THAN OR EQUAL TO 20KG**

#### **9.0 RPAS with maximum take-off mass greater than or equal 20kg shall also adhere to the following:**

The operations must be conducted under the following conditions:

- ✓ RPAS which weighs more than or equal to 20kg is subject to the Civil Aviation Regulations of Barbados.
- ✓ RPAS which weighs more than or equal to 20kg is subject to a Special Certification Process established by the Barbados Civil Aviation Department.
- ✓ RPAS Operators must adhere to the Requirements specified by the Barbados Customs and Excise Department, Barbados Telecommunications Unit and the Ministry of Defence and Security.
- ✓ It is imperative for all RPAS Operators to have the appropriate third party liability insurance in place.

### **9.1 Customs and Excise Requirements**

All UAVs above 7 kg shall be granted Customs clearance to enter Barbados provided that the importer of the UAV is in possession of:







- Import Certificate issued by an Aero Modelers Club
- Radio Licence issued by the Telecommunications Unit
- Satisfied all Customs and Excise Department formalities

### **9.2 The Airworthiness Process**

The BCAD is now introducing a new policy requiring operators of small unmanned aircraft used for aerial work purposes to obtain permission from the Ministry of Defence & Security /Civil Aviation Department before commencing any flight. Subject to review, BCAD may approve commercial operations, aerial photography, etc, within published guidelines and on a case-by-case basis.

An application for a Special Air Operations Certificate (SAOC) for the purpose of conducting aerial work shall be sent to the Ministry of Defence and Security, at least **twenty (20)** working days prior to the date of the proposed operation. The Barbados Defence and Security Department in conjunction with the Barbados Civil Aviation Department will evaluate the proposed operation to determine if it can be approved.

It is expected that a number of requirements must be satisfied before licenced operators are granted permission to conduct aerial work. These requirements include:

-  A UAV Design and Construction Certificate
-  Appropriate Insurance Coverage
-  Pilot Qualification
-  UAV Organisational/Club Approval
-  An Airworthiness Certificate/Permit
-  Radio Licence Policy









The requirement for an SAOC is intended to ensure the safety of the public and protection of other airspace users during the operation of UAVs. The SAOC will only be granted when the BCAD and the Ministry of Defence and Security is fully satisfied that the licensed operator can conduct their planned activity in a safely manner and the mandatory requirements are adhered to.

### 9.3 Safety Considerations

Flight by unmanned aerial vehicles (UAVs) can present many concerns to the regulators in terms of ensuring the safety and integrity of persons and property on the ground. The operator is responsible for ensuring that the UAV is operated safely and remains clear of power-lines and populous areas.

Due to the potential risk of an accident to person and property with Unmanned Aerial Vehicles, the Policy covers the subject of endangerment and applies to all aviation activity at all times: *“ALL UAV operators shall not operate a model aircraft in a reckless or neglectful manner that will cause or permit an aircraft to endanger any person or property.”* Thus, in the application process for UAV operations, the issues of safety, privacy implications and ethics must be considered before the approval is given.

Safe integration of an unmanned air vehicle (UAV) involves gaining a better understanding of operational issues, such as the specifications and technological considerations. Hence, particular attention must be paid to the following:

-  the pilot's experience
-  the weight category of the UAV
-  the certification level of the UAV
-  the required radio licence
-  the UAVs flight profile
-  the UAVs area of operation
-  the operating club/association is well established and
-  the area in which aerial work will be carried out

The Barbados Civil Aviation Department (BCAD) Policy

requires that operators with remotely piloted vehicles used for the purpose of commercial flight activity to hold adequate levels of insurance in order to meet their liabilities in the event of an accident. It is imperative for all UAV operators to have the appropriate third party liability insurance in place.

## **SECTION V - SECURITY CONSIDERATIONS**

### **10.0 Security**

The use of “remote control” aircraft for commercial purposes such as aerial photography is increasing at a rapid pace. Moreover, the risk involved in this type of activity is also on the rise due to the fact that some UAS are equipped with on-board Cameras and Sensors which are adequately positioned to observe targets on the ground. Unfortunately, the risks of gathering information in public areas are not sufficiently covered by regulatory limitations and requirements.

With this in view, model aircraft operators should also desist from dropping objects in flight which may create a hazard. It is also the licensed operator’s responsibility to demonstrate that injury to persons or property along the UAV projected flight path is extremely improbable.

#### **10.1 The proposed Security Requirements are as follows:**

*The RPAS operator must take appropriate measures to prevent deliberate and unlawful interference to persons or property and from all RPAS operations.*

#### **Accident/Incident Procedures**

All Accidents and serious Incidents are to be reported to the Flight Safety Operations Department of the BCAD.

#### **Data protection and privacy**

The RPAS operator must take the necessary precautions and measures to ensure the protection of data collected and to safeguard people from harm.

## **PENALTIES**

The Royal Barbados Police Force may impose penalties for violation under the laws for Public Nuisance.

## **INSURANCE**





The Barbados Civil Aviation Department (BCAD) Policy

requires that operators with all remotely piloted vehicles above 7kg and/or also used for the purpose of commercial flight activity to hold adequate levels of insurance in order to meet their liabilities in the event of an accident. It is imperative for all UAV operators to have the appropriate third party liability insurance in place.

## **10.2 RECEIVING INFORMATION OF A BREACH**

Information of any breaches may be reported directly to an officer in the Ministry of Defence and Security and the Royal Barbados Police Force. A number of Law Enforcement Agencies will normally be involved in handling breaches of the legislation in the aviation industry. However, when serious contraventions and threats to safety are identified these matters must be referred to the Barbados Civil Aviation Department.

**The Royal Barbados Police Force will Police the operation of RPAS in Barbados and will remove any UAVs from operation:**

-  When the UAV is not operated at an approved Model Aircraft Club Site;
-  Where the UAV is conducting commercial activity without approval granted by the Ministry of Defence and Security;
-  When it is observed that the UAV is operated in a negligent or reckless manner; and
-  When the UAV or Operator and/or both is not certified for operation.

## **Section VI - General Provisions for Remote Piloted Aircraft Systems**

### **11.0 RPAS OPERATIONS**

**All RPAS shall be operated from an approved Model Aircraft Club site;**

Only UAVs granted permission by the Ministry of Defence and Security after collaboration with the Civil Aviation Department shall be permitted to operate other than from an approved Model Aircraft Club site and in accordance with conditions specified in the approval;

All model Aircraft Clubs and Commercial UAVs shall have insurance coverage for damage to persons and property;



All Air Modelers Clubs shall ensure that their members carry valid permits issued by the club to operate UAVs and to be readily available for inspection. **This requirement will be a condition in the SAOC.**

## **SECTION VII - CONCLUSION**

The development of the RPAS operation is a major platform for the Civil Aviation Industry in Barbados. It affords the industry the opportunity to embrace this technological advancement and to implement the operational regulations required to ensure the safe integration of Unmanned Aerial Systems.

Presently, the BCAD fully supports the development of UAV in the national airspace and the Regulators will endeavour to provide safety guidelines and procedures to regulate model aircraft operations. Furthermore, the Barbados Civil Aviation Department in conjunction with the other stakeholders will continue to provide the required oversight to successfully govern UAV operations, to adequately address privacy concerns on the collection of photographic data and to ensure that all emerging issues are handled efficiently.

